



February 2016

Georgia Board of Professional Engineers & Land Surveyors **Board Matters**

NOTE FROM THE CHAIRMAN



Bill Womack, P.E.

Being elected as the Chairman of the Professional Engineers & Land Surveyor's Board is an honor. To be able to work with the dedicated professionals on the Board; the Consumer Member and the Staff at the Secretary of State's office is humbling, but an exciting experience at the same time. We all have the same objective as outlined in our Board Laws; to safeguard life, health and property and to promote the public welfare. We are determined to better our profession by enforcing the existing Laws and Rules presently in effect

and reviewing/ modifying the Rules and Policies that need to be updated or improved. Several items the Board is presently reviewing are:

Rule 180-3-.02 Rules of Experience and Rule 180-6-.03 Rules of Practice. These deal with Direct Supervision of Engineers as related to the References provided in their applications and if the supervision being provided remotely (the Supervising Engineer is not located in the same location as the Applicant). The second rule relates to "Direct Supervisory Control" on a daily basis of the registrant and the stamping of documents prepared by non-registrants under the direct supervisory control of the registrant on a daily basis.

The Professional Engineer (PE) / Structural Engineer (SE) Licensure issues are being reviewed and the Board is looking into a new policy pertaining to Civil PE Exams and Structural PE Exams as related to design aspects of various structures. This is a very controversial subject and the Board will spend time reviewing these issues prior to any new policy.

We continue to urge all Registrants to become aware of the current Board Laws and Rules affecting their practice, these can be found at <http://sos.ga.gov/index.php/licensing/plb/22> on the Georgia Board of Professional Engineers & Land Surveyors web site.

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BOARD MEMBERS

William Womack, PE, Board Chair
Dan Davis, PE, Vice Chair
Mark E. Chastain, LS
Russ Pennington, PE
Elmo A. Richardson, PE, LS
Darien Sykes, PE
Neil Wyche, PE
Taylor P. Wright, PE
Julianne Busbee, Consumer Member
Darren Mickler, Executive Director



NOTE FROM THE CHAIRMAN *(continued)*

The Board continues to work hard at being responsive to all complaints and providing disciplinary actions, when required, in a timely manner. We do need the help from our Registrants with this important phase of the Board's responsibilities and will always be responsive to any violations that are provided to the Board.

I look forward to this year as the Chairman of the Board of the Georgia Professional Engineers & Land Surveyors with the goal on improving our profession. If you have any comments, please contact me via the Board.

INTRODUCTION OF NEW BOARD MEMBERS

It is with great pleasure that we introduce our newest appointed Board Member, Taylor P. Wright, PE. Taylor is a Vice President and Division Manager for Atkins (a consulting engineering firm) where he began his career in 1993. He has more than twenty-two years of experience in the Transportation Design and Construction Industry. He serves on the Board of the American Council of Engineering Companies of Georgia (ACEC) and the DeKalb Chamber of Com-

Welcome to our newest appointed Board Member, Taylor P. Wright, P. E.

STATS Licenses Issued

August 2015—February 2016

- Professional Engineer — 430
- Engineer Firm — 78
- Engineer In-Training — 133
- Land Surveyor — 7
- Land Surveyor Firm — 11
- Land Surveyor In-Training — 3

merce. Taylor is a graduate of Georgia Tech in 1993 with a Bachelor's Degree in Civil Engineering. He was licensed in the State of Georgia on February 5, 1998. We welcome Taylor to the Board and look forward to his valuable input.

GEORGIA LAW, RULES & POLICY

Although it's not necessarily "new", many land surveyors still persist in not conforming to the changes from 2012 and 2013. Violations are being found and fines are being issued. A copy of the new standards were mailed to all licensees in 2013 and have been available on the board's web site since that time. Late in 2013 the state specific portion of the licensing exam was revamped to reflect these changes. The subject continues to deserve more attention. Many of the licensees who fail to adhere to the new standards are exempt from continuing education requirements which includes 6 hours every 4 years in minimum technical standards and surveying practice. The exemption from continuing education though is not exemption from following all of the current rules and laws pertaining to the practice of land surveying.

Changes began in the legislative session of 2012. House Bill 665, supported by the Georgia Superior Court Clerk's Cooperative Authority (GSCCCA) was passed and enacted into law. This bill made sweeping changes to the Georgia Plat Act (OCGA 15-6-67) which had been largely unchanged since 1978. The old Plat Act contained specific technical standards for plats to be recorded. These standards were appropriate for 1978, but with cad drafting and reproductive technology advancements since then, they were quite antiquated. There were also other tweaks necessary to bring conformity and needed flexibility to the

COMPLAINTS

The Georgia General Assembly created the Georgia State Board of Registration for Professional Engineers and Land Surveyors in 1937 with the charge of protecting life, health, and property and to promote the public welfare. The Board has the power to adopt rules, set standards for licensure, adopt mandatory standards of professional conduct and ethics, and investigate and discipline unauthorized, negligent, unethical or incompetent practice. Persons practicing in engineering and land surveying are required by law to be licensed by the Board. These licensees will have met all requirements for initial licensure and must maintain a current license at all times. The Board has legal jurisdiction over a business or individual's license to practice and can discipline the license holder if a violation of the licensing laws and rules has occurred. Licensees found to be in violation will be subjected to disciplinary actions in the form of a Board Order that could include a fine, probation, suspension or revocation of the license. All public board orders will be posted to the licensee's public license record.

For allegations of unlicensed practice, the Board may issue a cease and desist order which could include a fine up to \$5,000. Violation of this order could subject the person violating the order to an additional civil penalty not in excess of \$100.00 per violation of such order. If a cease and desist order is refused by the unlicensed individual or business, the board may take the matter to a hearing and can petition the court for an injunction against further unlicensed practice.

All findings of the Board shall be treated as confidential and need not be disclosed without the approval of the Board per OCGA 43-1-2(k). A complaint may be submitted to the Board office at 237 Coliseum Drive, Macon GA 31217, or online at <http://sos.ga.gov/plb/submitcomplaint.php>. Each complaint will be investigated diligently and with care and concern.

GEORGIA LAW, RULES & POLICY *(continued)*

regulation of plats and surveying. The major changes to the Plat Act from HB665 are:

1. The technical standards for maps and plats such as letter height, content, line widths, etc. was removed and now references the Board Rules for the requirements. {OCGA 15-6-67(b)}
2. Signatures must be in a contrasting color of ink. The previous (1978) language called for a black signature, but this was when 99% of all prints were in blue line, thus black was a contrasting color of ink. Now with 99% of prints being black and white, the language needed to be changed. {OCGA 15-6-67(b)(2)(E)}
3. There was previously an erroneous opinion that the Plat Act pertained only to plats that were going to be recorded. To support harmony with the Board Rules and remove this confusion, it was clarified that all maps and plats must conform to the same standards regardless of any known intent to record the survey or not. {OCGA 15-6-67(b)(2)(E)}
4. For the first time ever, an electronic copy of the survey is now required to be presented along with the signed prints for recording. This caused quite a bit of concern and aggravation from Land Surveyors who thought that this meant that they had to obtain scanning equipment and provide the electronic copies. The law only required that the electronic copy be provided, it did not stipulate who had to prepare the scan. {OCGA 15-6-67(b)(3)}

Following HB 665, the Board began the process to amend the applicable Board Rules. In order to maintain harmony between the Plat Act and requirements for all surveys, Board Rule 180-7-.07 had essentially mirrored the Plat Act's language for many years. The Board appointed a panel of practicing land surveyors, included Board members, members of the Surveying and Mapping Society of Georgia, and private practitioners. The panel debated the various aspects needed to clarify a prudent set of standards to regulate the content and format of survey plats, and presented a recommendation to the Board which was adopted on March 19, 2013. The major changes to Board Rule 180-7-.07 include:

1. The firm's COA (Certificate of Authorization) must be stated on the survey (180-7-.07(b)(6))
2. Traditional closure precision may be substituted by precision or positional accuracy. A generalized linear error of closure such as 1:10,000+ is no longer acceptable. (180-7-.07(d)(3))
3. Various board rules were incorporated or referenced into the standards, such as 180-7-.02 (required research and boundary analysis) and 180-7-.09 (inclusion of GPS equipment, required notations).

A certification is required that affirms that the survey was prepared in conformity with the new standards and Plat Act. This is to assure the client, the public, and the Clerk of Court that the land surveyor is familiar with the standards and has complied with them. This statement should not be taken lightly (180-7-.07(d)(19)).

NCEES RECOGNITION

NCEES recognizes the passing of former President and Georgia Board member. T.E. (Ted) Stivers, PE, died September 20 at the age of 95. Stivers was a member of the Georgia State Board of Registration for Professional Engineers and Land Surveyors from 1970–80 before being named an emeritus member. In addition to serving as NCEES president in 1976–77, he was Southern Zone vice-president, served on numerous NCEES committees, and was involved in the development of the Participating Organizations Liaison Council.

Stivers was a key member of NCEES leadership dedicated to regaining financial stability for the Council, which faced insolvency in the mid-1970s. Stivers was appointed financial liaison officer to the board of directors in 1974 and worked with the Council's first treasurer and other leaders to implement extensive fiscal reform. By 1978, the NCEES president reported that the organization enjoyed "an excellent financial position." NCEES honored Stivers with the Distinguished Service Award in 1980 and the Distinguished Service Award with Special Commendation in 1989 for his dedicated service.

NCEES NEWS

2015-16 Board of Directors elected. At the conclusion of the 2015 NCEES Annual Meeting, Michael Conzett, PE, began his term as NCEES President, replacing David Widmer, PLS. Also during the annual meeting, NCEES members elected Daniel Turner, Ph.D., PE, PLS, of Alabama, president-elect for the 2015–16 term and reelected Gary Thompson, PLS, of North Carolina, treasurer for 2015–17. Theresa Hodge, PE, of South Carolina, and Roy Shrewsbury, PS, of West Virginia were also added to the board of directors. Christy VanBuskirk, PE, of Iowa, returns as Central Zone vice president and Patrick Tami, PLS, of California, continues as Western Zone vice president. David Widmer remains on the Board as Immediate Past President. Below are some items of note that were voted on at the October BOD meeting:

- Approved a request to rename the PE Mechanical Systems and Materials examination module as the PE Machine Design and Materials examination.
- Approved a recommendation to revise the PE Mechanical breadth-and-depth format to three distinct exams: PE Machine Design and Materials examination, PE Thermal and Fluids Systems examination, and PE HVAC and Refrigeration examination.
- Approved a request to rename the FE and PE exams in Industrial Engineering as Industrial and Systems Engineering.
- Approved zone budgets and authorized a \$15,000 contribution to each zone to help defray expenses.
- Approved designating \$7 million in designated assets as replacement costs in the event of a total exam breach.

Final pencil-and-paper PS exam. NCEES will offer the Professional Surveying exam in pencil-and-paper format for the last time in April 2016. Beginning October 2016, the exam will be offered via CBT at Pearson VUE testing centers. Registration for the computer-based PS exam will open in June.

Calculator list approved. The NCEES board of directors recently approved the calculator models that can be used on NCEES computer-based and pencil-and paper exams in 2016. They are as follows:

- Casio: All fx-115 models (Any Casio calculator must have fx-115 in its model name.)
- Hewlett Packard: The HP 33s and HP 35s models, but no others
- Texas Instruments: All TI-30X and TI-36X models (Any Texas Instruments calculator must have TI-30X or TI-36X in its model name.)

DID YOU KNOW???

Any firm, corporation, professional corporation, partnership, association, or other entity offering services to the public in engineering (OCGA 43-15-23 (a)) or land surveying (OCGA 43-15-23.1(a)) MUST obtain and maintain a Certificate of Authorization ("COA"). This requires a report as of the ownership and/or composition of the management of the entity and the registrant who shall be in responsible charge. Only an individual operating as a true sole proprietor is exempt from this law. For example, John Doe, PE may do business as John Doe, PE, but to represent himself as Doe Engineering or Doe Consulting is a firm which requires a Certificate of Authorization. Any firm that is advertising for or providing engineering or surveying services in Georgia without a COA is in violation of state law.

MEMBER HIGHLIGHT

Executive Director of the Board, Darren Mickler was born and raised in Jeffersonville and Twiggs County, Georgia, the geographical center of the state. He graduated from Twiggs Academy, then furthered his education at Middle Georgia College in Cochran with an A.A. in Business Administration and Georgia College and State University in Milledgeville with a B.A. in Business Administration majoring in Management.

He worked for zipper giant YKK (USA) Inc. as a Process Manager for the Macon plant from 1998 to 2000, then Morgan Stanley as an Investment Advisor from 2000 to 2002 before joining the Professional Licensing Boards in July of 2002 as the Executive Director for the Board of Registration for Professional Engineers and Land Surveyors. Over the years, Darren has served as Executive Director for the five divisions of the Construction Industry Boards, Board of Accountancy, Board of Geology, Board of Residential and General Contractors in addition to his responsibilities to the PELS Board. After a reorganization of the Professional Licensing Boards in 2015, Darren currently serves as Executive Director for PELS, Geology, Foresters, Landscape Architects and Architects and Interior Designers Boards. He is very knowledgeable and accessible to the staff, board members, registrants and consumers for all of these professions.



Darren Mickler

Darren has been married to the former Marcee Arnold since 1993. She is a 1991 graduate of Georgia Tech in Industrial Engineering and is an engineer for Robins Air Force Base. They have two children - Jay, 19 and Channen, 16. The family resides in Bonaire.

Darren enjoys taking his boat down to coastal Georgia for fishing trips with family and friends, but can also be found in the woods during hunting season or swinging a golf club on local courses. He is an avid reader and has done extensive research in genealogy.

**Georgia Board of
Professional Engineers
& Land Surveyors**

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DISCIPLINARY ACTIONS - August 2015—February 2016

ACTIONS BY THE BOARD

NAME	LICENSE #	CITY/STATE	DISCIPLINARY ACTION	DATE
James R. McDougald	LS002702	Juliette, GA	\$15,000 fine 3 year probation	09/10/2015

CEASE AND DESIST ORDERS

NAME	CITY/STATE	DATE
William L. Harris	Statesboro, GA	09/22/2015

HOUSEKEEPING

NOTES FROM THE EXECUTIVE DIRECTOR

Please join me in welcoming Regina Sapanori as the newest member of the PELS Board staff, filling the position of Board Support Specialist. Regina is a graduate of the University of North Georgia and brings with her varied experience from both home and abroad. We look forward to having her as a part of the PELS team.

I would also like to welcome Assistant AG Kristen Daughdril as our new representative from the Attorney General's office. She will be taking over for long time PELS representative Senior Assistant AG Amelia Baker. We look forward to working with Kristen and we wish Amelia all the best and thank her for her service to the Board.

We are pleased to announce that effective July 20th, 2015, staffing for the Board of Registration for Professional Engineers and Land Surveyors has been enhanced by a reorganization within the Secretary of State's office. The PELS Board will be joined in the Trades 1 section by Architects and Interior Designers, Landscape Architects, Geologists and Foresters, all under the supervision of Executive Director Darren Mickler. The Board of Residential and General Contractors and the Construction Industry Licensing Board has been moved to a newly created Trades 4 section under Executive Director Deborah Beard. This reorganization has provided some much needed improvement in our staffing needs, and we look forward to better serving the engineering and surveying communities.

Finally, please note that the December 31, 2014 renewal deadline hopefully marked the last time Secure and Verifiable Documents or Affidavits of Citizenship will be required for a license renewal, except in the case of a licensee who did not complete a renewal in 2014 or previous renewal periods. These items will continue to be captured from initial and comity licensees.

UPCOMING DATES OF INTEREST

February 5-7	NCEES Member Board Administrators Meeting in Atlanta
February 18	NCEES Registration Deadline
March 8	Board Meeting
April 7-10	NCEES Southern Zone Meeting in Nashville, TN
April 15, 16	FE and PE Exam Dates
May 10	Board Meeting